

## *St. Louis City Ordinance 64944*

FLOOR SUBSTITUTE

BOARD BILL NO. [00] 25

INTRODUCED BY ALDERMAN James Sondermann

An Ordinance to repeal Ordinance No. 64353, approved April 2, 1998 establishing the salaries of employees in the Sheriff's Office and enacting in lieu thereof a new Ordinance fixing the annual rate of compensation of command personnel and deputies appointed to assist in the performance of the duties of the Sheriff and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 64353 approved April 2, 1998 is hereby repealed and a new ordinance is hereby enacted, to read as follows:

SECTION TWO. The following command personnel and deputies in the Sheriff's Office as may be appointed under provisions of Section 57.530 Missouri revised Statutes, 1978 shall be compensated not in excess of compensation as established in accordance with Section Three and subsequent sections of this ordinance.

<b>TITLE</b>	<b>GRADE</b>
Chief Executive Deputy	16G
- Attorney	
Lieutenant Colonel	18G
- Administrative Aid Captains	
Majors	17G
Captains	16G
Lieutenants	14G
Sergeants	13G
Senior Deputies	12G
Deputy Sheriffs Level 1	11G
Deputy Sheriff Level 2	10G

(1) (a) SECTION THREE. OFFICIAL PAY SCHEDULE OF GRADES.

There is hereby adopted as the compensation schedule for all pay ranks established in Section Two beginning with the bi-weekly pay period starting

June 18, 2000, or the beginning of the first bi-weekly pay period starting concurrently with or after the effective date of this ordinance, which ever date is later and extending through the bi-weekly pay period ending June 16, 2001.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

**GRADE STARTING MAXIMUM**

10G	910	1365
11G	992	1488
12G	1081	1622
13G	1197	1796
15G	1583	2375
16G	1821	2731
17G	2094	3141
18G	2408	3612
19G	2769	4154

(2) (a) there is hereby adopted as the compensation schedule for all pay ranks established in Section Two beginning with the bi-weekly pay period starting  
June 17, 2001.

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS

**GRADE STARTING MAXIMUM**

10G	937	1406
11G	1022	1533
12G	1113	1671
13G	1233	1850
15G	1630	2446
16G	1876	2813
17G	2157	3235
18G	2480	3720

SECTION FOUR. (A) A shift differential compensation for certain work assignments may be paid. The Appointing Authority shall determine the work assignments or activities performed for which shift differential compensation shall be paid.

Before shift differential compensation may be made an employee must have completed (5) hours of regular employment before 7:00 A.M. or five hours after 3:00 P.M. in twenty four hour period which begins at the employees' normal reporting time.

An employee shall be paid 0.85% of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period.. An employee shall work a complete eligible shift to receive shift differential compensation.

Shift differential shall not be paid to employees who work part-time, or full-time regular employees docked for any portion of a shift. An employee shall receive shift differential for working a portion of an eligible shift. Shift differential shall only be paid for whole hours worked, providing the portion of the shift not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. An employee shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

Employees who work on a Saturday and/or Sunday shall be paid a weekend differential. This differential shall be 0.85% of an employee's base bi-weekly rate and shall not be paid for any overtime worked that is not part of an employee's regular schedule. An employee shall receive weekend differential for working a portion of an eligible day. This differential shall only paid for whole hours worked, providing the portion of the day not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. Weekend differential shall not be paid to employees compensated on an hourly or per-performance basis or to bi-weekly paid employees who work part-time or full-time regular employees docked for any portion of a day.

The Appointing Authority may approve the payment of hiring incentives to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual

salary of the position for which the incentive is to be paid. An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten (10%) higher than prescribed for the class . Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position. The Appointing Authority may also establish other bonus, incentive, or reimbursement programs to encourage current employees to attain registration, licensure, certification, or proof of professional mastery when it is deemed to be in the best interest of the service, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements conveyed under such programs would not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

The Appointing Authority may establish a location allowance for positions which are difficult to fill at specific duty stations. This allowance shall be in an amount up to ten percent of the median of the pay range of the position for which the allowance is to be paid. The location allowance shall be considered an addition to pay and shall not change the employee's base rate.

(B) No employee shall be paid at the rate lower than the minimum or higher than the maximum of the salary range established for the class to which his/her position has been allocated, except as otherwise provided in this ordinance.

(C) When a new employee is approved under Section 57.530 Missouri Revised Statutes, 1978, the annual rate of compensation shall be twenty-six (26) times the first or lowest step within each rank or position.

(D) Deputies and assistants in the Sheriff's Office may receive such hourly, daily or other rate as may be allowed by the Circuit Court, for special services authorized by the Circuit Court, and assigned by the Sheriff, when such special services are for additional work over and above the regularly assigned working hours and payment of such special service is being taxed as costs in the particular case or circumstance and deposit of such cost is made in advance of such special services.

## SECTION FIVE. Starting Salary

The minimum rate of pay for a position shall be paid upon original appointment to the class, unless the appointing authority finds that it is impossible to recruit employees with adequate Qualifications at the minimum rate.

If an advanced starting salary is necessary, the appointing authority may establish a recruitment rate for a single position or all position in a class and authorize employment at a figure above the minimum but within the regular range of salary established for the class.

SECTION SIX. Promotion, Demotion, Reallocation and Transfer: An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his or her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee from a position of one class to a position of another class with higher pay grade.

(1) When an employee is promoted to a position in the General Schedule, the employee's salary shall be set at a rate which is five (5%) higher than the rate received immediately prior to promotion. The Appointing Authority may approve up to a twenty percent (20%) salary adjustment when such action is needed to attract experienced, qualified candidates for a position. Such salary determination shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(2) Temporary Promotions: Promotions of employees regardless of status, made for a limited duration, shall result in a salary adjustment as is Paragraph(a) (1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former rate of pay, adjusted by any increases the employee may have received in the absence of the temporary promotion. In no case shall the employee's salary be above the maximum of the salary range.

(b) Demotion: This shall be defined as a change of an employee to a position of one class to a position of another class which has a lower pay grade.

(1) If an employee accepts a voluntary demotion, his or her rate of pay shall be reduced to a rate within the range for the new position. The appointing authority may approve up to a ten percent (10%) salary decrease upon demotion. However, no employee shall be paid less than the minimum nor more than the maximum rate for the new class of position.

(c) Reallocation:

(1) The salary of an employee which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his or her position has been allocated or may be reallocated shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he or she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to class in a lower pay grade and the rate of pay for the previous position is within the salary range of the new position, his or her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 6 relating to salary advancement on promotion.

(d) Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, regardless of pay schedule, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position.

SECTION SEVEN: Salary Adjustment.

Salary adjustments for all employees shall be based on consideration of merit in the performance of duties and success in fulfilling predetermined goals and objectives as herein provided:

(a) Positions for which salary is established in the General Schedule.

(1) Eligibility for 3.00% for within-range merit increases shall be made at intervals of once a fiscal year.

(b) The appointing authority may establish additional guidelines for all within range salary adjustments for classes in the General Schedule to insure the effective utilization of salary ranges to reward meritorious service.

(c) A decrease in the salary range for poor performance of the duties of the position or for job performance which does not warrant continued pay at an advanced rate in the salary range shall be made in accordance with standards established by the appointing authority.

(d) The effective date of any within range increases granted under provisions of Section 7(a) (1) shall be effective June 18, 2000.

(e) Any employee whose salary is established in Section 3 (1)(a) or 2 (a) and whose services fail to meet the standards of performance necessary to qualify for increases in pay shall not receive the within-range increases otherwise allowed by this Section.

(f) The appointing authority may evaluate the performance of an employee whose salary is established in this ordinance for the purpose of a salary adjustment only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The appointing authority of an employee who demonstrates exceptional performance of duties or outstanding qualifications may advance the employee, by not more than ten percent (10%) after twenty-six (26) weeks of employment at a rate in the salary range.

(2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range.

(f) The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate or step within a salary range. The decrease shall not be greater than fifteen (15%) percent of the employee's current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods, providing,

however, that such decrease shall not be effective for more than twenty six (26) weeks.

(g) The Appointing Authority may establish procedures for the review and approval of within-range salary adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustment under this provision shall preclude adjustments to compensate or reward employees for long-term or meritorious service. The Appointing Authority may approve a within-range salary adjustment in any whole dollar increment up to ten percent (10%) of an employee's bi-weekly base.

(h) The Appointing Authority may approve a within range salary adjustment up to ten percent (10%) or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

(i) For the purpose of computing earnings and length of service for salary advancement, the time shall start with the Sunday preceding all appointments effective on Monday. Absence from service as a result of vacation, sick leave, jury/witness leave, suspension, non-paid absence, leave of absence for service in the armed forces, and leaves of absence for study to improve performance of City job will not interrupt continuous service. Absence from service for any other cause except as set forth above will result in breaking continuity of service.

## SECTION EIGHT. Income Sources.

Any salary paid to an employee in the City service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days, a week, or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The



payment of a separate salary for actual hours worked from two or more departments, divisions, or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

#### SECTION NINE. Conversion

(a) All pay schedules in Ordinance 64353 shall continue in effect until the beginning of the bi-weekly pay period starting June 18, 2000 at which time the rate to be paid to employees in position of any class for which a rate is established or changed in Section 3 (1) (a) of this ordinance shall be increased by 3.0%, and shall be adjusted as follows:

(1) The bi-weekly salary of each employee whose pay range is established in Section 3(1) (a) of this ordinance shall be increased by three percent (3.0%), rounded to the nearest whole dollar or the minimum of the salary range, whichever is higher. This provision shall not apply to employees whose rate is deemed to be above the maximum of the new range as a result of demotion or reallocation. (b) The pay schedules in Section 3(1) (a) of this ordinance shall continue in effect until the bi-weekly pay period starting June 17, 2001 at which time the rates to be paid to employees in positions of any class for which a rate is established or changed in Section 3 (2) (a) of this ordinance shall become effective and be adjusted as follows:

(1) The salary of each employee whose pay range is established in Section 3(2)(a) of this ordinance and whose class title remains unchanged or whose class title is changed to better describe his/her position, without a substantial revision in the class of position shall have their current salary increased by a factor of three percent (3%) rounded to the nearest whole dollar, as determined by the Appointing Authority. This provision shall not apply to employees whose rate is deemed to be above the new maximum of the range as a result or demotion or reallocation.

(2) The salary of each employee whose pay range is established in Section 3(2)(a) of this ordinance and whose class has been allocated to a higher pay grade in the appropriate pay schedule, as determined by the Appointing Authority, shall have their current salary increased to a rate, rounded to the nearest whole dollar, which provides a three percent (3.0%) increase in addition to a five percent (5%) adjustment in accordance with Section 6 of this pay ordinance, but not less than the minimum of the pay range.

(d) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.

(e) The Appointing Authority may establish a special conversion procedure for a class or position in the event that the appointing authority determines that a serious inequity would be created by the application of the conversion procedures established in this Section.

#### SECTION TEN. Changes to pay Plan

Whenever the appointing Authority finds it necessary to add a new class to the Pay plan, the Appointing Authority shall allocate the class to an appropriate grade and schedule in this ordinance, and notify the Board of Alderman of this action.

Whenever the appointing Authority finds it necessary to change the pay schedule of an existing class within the Pay plan, the Appointing Authority shall allocate the class to the appropriate schedule in this ordinance, and notify the Board of Alderman of this action

#### SECTION ELEVEN. Sick Leave

The Appointing Authority may establish or authorize the creation of “Sick Leave Bank” programs, may issue and/or approve such regulations and guidelines as are necessary for implementation.

#### SECTION TWELVE. Military Leave

(a) A permanent employee or an employee in a working test period who is, or may become, a member of the National Guard or any Reserve component of the Armed Forces of the United States shall be entitled to military leave of absence with pay for all periods of military service while engaged in the performance of duty or training in the service of the State of Missouri at the call of the Governor or as ordered by the Adjutant General. Military leave with pay shall also be granted for the scheduled work days within the annual active duty military training conducted under competent orders of the United States for a period not to exceed fifteen (15) calendar days in any federal fiscal year.

Before any payment of salary is authorized for a period of military leave, the employee shall submit to the appointing authority an official order from the

appropriate military authority as evidence of such duty for which military leave pay is to be granted, and such orders shall serve as the certification of the commanding officer of the terms and duration of the military service.

A permanent employee or an employee in a working test period is also entitled to military leave without pay for training in the National Guard or any Reserve component of the Armed Forces of the United States extending beyond the first fifteen (15) calendar days of training in a federal fiscal year. Unpaid military leave also includes voluntary training in the National Guard or Reserves as well as active duty performed in times of national emergencies and military operations. Before military leave without pay is authorized, the employee shall present to the employee's appointing authority evidence of such military service.

(b) A permanent employee, or an employee in a working test period who has left the City Service or who shall do so in order to enter the regular Armed Services of the United States, shall be granted a military leave of absence without pay. A permanent employee, or an employee in a working test period in the classified service, who is a member of a Reserve component of the Armed Forces and who is ordered to an initial period of active duty for training, shall be granted a military leave of absence without pay. Two (2) additional years of leave is available for members of the Armed Services to convalesce from service-related medical conditions. Total accumulated military leave, other than for federal service in times of national emergencies, weekend and annual Reserve training, or for convalescent leave, shall not exceed five (5) years.

Upon the expiration of military leave of absence, the employee shall be reinstated to the class of position he or she occupied at the time the leave was granted without breaking continuity of service. Failure of an employee to report for duty within the time allowed shall be just cause for dismissal. The employee's accumulated leave balance(s) shall be restored to the employee upon his/her return.

(c) Applicable state and federal laws may affect the granting of military leave and re-employment rights of employees.

#### SECTION THIRTEEN. Leave of Absence and Family/Medical Leave

Employees may request a leave of absence for any reason under the leave policy, or may be eligible for a "Family/Medical Leave of Absence" for certain

qualifying reasons under provisions of the federal "Family and Medical Leave Act of 1993" as provided in this ordinance.

(a) An appointing authority, may grant an employee in a competitive position a general leave of absence without pay for a period not to exceed twelve (12) months, whenever such leave is considered to be in the best interest of the City Service. Such non-paid leaves are granted at the discretion of the appointing authority and may be for any reason including an employee's personal illness when the circumstances do not qualify for family/medical leave, or when eligibility for family/medical leave has been exhausted.

Upon the expiration of such leave of absence, the employee shall be reinstated to the competitive position he or she occupied at the time the leave was granted provided he or she is able to perform the duties of the position. The employee shall be reinstated to the position at the same relative rate in the salary range the employee occupied at the time the leave was initiated. Failure of an employee to report for duty promptly at the expiration of the leave shall be just cause for dismissal. If necessary to the efficient conduct of the business of the City, an employee on leave other than military leave or qualifying family/medical leave may be notified by the appointing authority to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice would terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The federal "Family and Medical Leave Act of 1993" entitles eligible employees to up to 12 weeks of unpaid leave in any 12-month period for the birth, adoption or placement of a child, to care for a spouse or an immediate family member with a serious health condition, or when the employee is unable to work because of a serious health condition. While an employee is on a qualifying family/medical leave of absence, the City of St. Louis will continue to pay the employee's health care premiums, if any, during the leave period. Once the leave is concluded, the employee shall be reinstated to the same or an equivalent job.

The Appointing Authority shall establish additional rules, guidelines and procedures for the effective administration of the "Family/Medical Leave Policy." The policy shall comply with all provisions of the "Family/Medical Leave Act of 1993" and any amendments thereafter.

(c) Employees who are granted general leaves of absence and other non-paid leaves of absence, except family/medical leaves of absence, must take all

accrued vacation and authorized sick leave at the start of the leave of absence. Employees who are granted a non-paid leave of absence will not accrue vacation or sick leave during the period of non-paid leave. Upon the expiration of such leaves of absence, the employee shall follow the procedures as established in this Section 13 and any other applicable regulations and procedures as established by the Appointing Authority.

#### SECTION FOURTEEN. Jury and Witness Leave

(a) Jury leave with pay shall be granted to bi weekly paid employees working one half (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or Federal District Court in St. Louis. Any bi weekly paid employee, when so summoned for jury service, shall report such fact within seventy two (72) hours to his/her appointing authority and display to the appointing authority the summons which the employee has received and shall give the appointing authority in writing the date and the time of such jury service. No bi-weekly paid employee shall receive any compensation from the Jury Commissioner or the Federal District Court system for jury service for days the employee receives compensation from the City. A bi-weekly paid employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.) Upon being excused from serving as a juror by the Court or the Jury Commissioner, the employee shall report forthwith to his/her appointing authority and shall submit to his/her appointing authority a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The appointing authority shall, upon receipt of the statement of jury service, credit the employee with paid jury leave for such service.

(b) Leave with pay shall be granted to bi weekly paid employees for such time when the employee's presence is required by the prosecutor as a part of a grand jury procedure, a trial in prosecuting accused criminals (or for jury service in Federal Court). Any bi weekly paid employee, when so subpoenaed as a prosecution witness or whose presence is required as a part of a grand jury inquiry, shall report such fact within seventy two (72) hours to his/her appointing authority and shall give the appointing authority in writing the date and time his/her presence is required for such criminal prosecution. Each appointing authority shall establish controls to assure that any paid leave is actually required by the prosecuting authority. An appointing authority may require an employee to furnish satisfactory evidence of being required to be off

the job and that all time off was in connection with the prosecution of the case. This procedure shall apply for employee participation in criminal prosecution in State or Federal Courts.

#### SECTION FIFTEEN.

The "Sheriff's Attorney" as provided under Section 57.540, Missouri Revised Statutes, 1978, shall receive in addition to the compensation for his services as provided thereunder the sum of three thousand dollars per annum in bi-weekly installments. In no event shall the total of said salary exceed fifteen thousand dollars.

#### SECTION SIXTEEN. Passage of Ordinance

The passage of this ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and the same shall take effect and be in force immediately upon its approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
04/28/00	04/28/00	PE	05/24/00	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
05/26/00			06/02/00	06/02/00
ORDINANCE	VETOED	VETO OVR	SIGNED BY MAYOR	
64944			06/12/00	